THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.11163 OF 2006

DATED: 29TH NOVEMBER, 2006.

Between :

Smt. Kotha Sarada .... Petitioner

And

1. The Manager, Bank of Baroda,
   Chilakalaguda Branch, Hyderabad.,
   And 3 others. .... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.11163 OF 2006

ORDER :

This writ petition is filed seeking a declaration that the action of the respondents in taking possession of the property in question under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 as arbitrary and illegal.

Since the matter involves several disputed questions of fact and having regard to the fact that efficacious alternative remedy available under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the Act'), the mater cannot be enquired into and decided by this Court under Article 226 of the Constitution of India.

Accordingly, granting leave and liberty to the petitioner to work out the alternative remedy available under the Act, the Writ Petition is disposed of. No costs.

G. ROHINI, J.

Dt. 29-11-2006
gbs